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THE

CONSTITUTION

OF THE

PICTOU ACADEMY,

AS ESTABLISHED BY THE

ACT OF THE LEGISLATURE,

Passed 14th April, 1845,

AND BY THE STATUTES FOR ITS REGULATION AND GOVERNMENT, ORDAINED BY THE BOARD OF TRUSTEES,

AND SANCTIONED BY

HIS EXCELLENCY VISCOUNT FALKLAND,

LIEUTENANT-GOVERNOR OF NOVA-SCOTIA,

&c. &c. &c.

PICTOU:

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Pictou Academy
March 12th 1853

THE CONSTITUTION OF THE PICTOU ACADEMY, &c.

SECTIONS OF THE ACT 56, GEO. III., CAP. 29, ESTABLISHING THE PICTOU ACADEMY, WHICH ARE NOW IN FORCE.

WHEREAS Edward Mortimer, Duncan Ross, Thomas McCulloch, John Patterson, Thomas Davidson, George Smith, John McLean, Junior, Alexander Grant, Robert Lowden, and James McGregor, and others, have agreed to pay and contribute divers sums of money for the purpose of founding, establishing, and maintaining, an Academy in the District of Pictou.

And Whereas the said Edward Mortimer, Duncan Ross, Thomas McCulloch, John Patterson, Thomas Davidson, George Smith, John McLean, Junior, Alexander Grant, Robert Lowden, and James McGregor, and the other persons who have agreed to pay and contribute divers sums of money for the purpose aforesaid, are Presbyterians, and a great majority of the Inhabitants of the District of Pictou, are either Emigrants from Scotland; or are the Descendants of Emigrants from Scotland, where the Presbyterian religion prevails; and the said Inhabitants of the District of Pictou, or a great majority of them, do now profess the Presbyterian religion, and are desirous of educating their children therein:

Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, by letters Patent under the Great Seal of the Province, to incorporate Edward Mortimer, Duncan Ross, Thomas McCulloch, Thomas Davidson, George Smith, John McLean, Robert Lowden, William Patrick, and James McGregor, of Pictou, aforesaid, and also Archibald Gray and James Robson, Ministers of the Presbyterian congregations at Halifax, and Samuel George William Archibald of Truro, in the District of Colchester, and James Foreman, of Halifax, in this Province, to be one Body, Politic and Corporate, in deed, and in name, and have succession for ever in manner as shall be herein after mentioned and provided for, by the name of the *Trustees of the Pictou Academy*, and that by the

same name they shall have perpetual succession, and a common Seal, to be appointed by themselves, and also, to sue and be sued, implead and be impleaded, in all Courts and Places within the Province of Nova Scotia, and they, or the major part of them, shall have power from time to time, to choose from among themselves their President, Vice-President, and other Officers, as by said Letters Patent shall be directed, and to make bye laws and ordinances for the regulation and general management of said Academy, and to assemble together within the said District of Pictou, when and where and as often, and upon such notice as to them shall seem meet, for the Execution of their trust, and shall also have power and capacity to purchase, receive, take, hold, and enjoy for the use and benefit of the said Academy, as well legacies, goods and chattles, as lands, tenements, hereditaments, notwithstanding any statute or statutes of mortmain. *Provided Always*, that the lands and tenements so to be purchased received, taken, held and enjoyed as aforesaid, are situated within the said District of Pictou, and do not exceed the yearly value of two thousand pounds sterling.

And be it further enacted, That the Trustees of the said Academy shall transfer a copy of all Bye-Laws, which shall or may be enacted by them, or the major part of them, to the Governor, or Commander in Chief, within one month after the making or enacting the same, and if the Governor, or Commander in Chief, shall express his dissent to the said Bye Laws at any time within twelve months after the same shall have been transmitted to him, then the said Bye Law shall be deemed and considered as totally abrogated and repealed.

SECTIONS OF ACT 2, WM. 4, CAP. 5, STILL IN FORCE.

Whereas by the Act, passed in the fifty-sixth year of the Reign of His late Majesty, King George the Third, entitled, An Act for Founding, Establishing and Maintaining an Academy at Pictou, in this Province, and also by the Act passed in the fifty-ninth year of the Reign of His said late Majesty, for repealing and altering part of the said Act first mentioned, certain religious tests, declarations and subscriptions, are required of persons chosen to be Trustees, Masters or Teachers, in the said Academy, and which tests, declarations and subscriptions have been found prejudicial to the said Academy,

and of an injurious tendency in preserving religious distinctions in this Province; And whereas, it has been deemed expedient to extend the benefit of Education in the said Academy to persons of all denominations of Christians, without distinction of sect, and to render the said Academy more extensively useful for the instruction of Youth, and to provide for the appointment of persons of the several different religious persuasions to be Trustees of the said Academy, and to make a more effectual provision for the support thereof.

I. Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, That the second, third, fourth, fifth, sixth, and eighth sections or clauses of the said Act of the fifty-sixth year of His said late Majesty's Reign, entitled, An Act for Founding, Establishing and Maintaining an Academy at Pictou in this Province, and also the whole of the said Act of the fifty-ninth year of His said late Majesty's Reign, passed to repeal and alter part of the said Act, shall be, and the same, are, hereby wholly repealed, and in future no religious test, declaration or subscription, whatsoever, shall be required to be taken or made by any Trustee or Teacher, in the said Academy, as a qualification for office.

II. And be it farther enacted, That it shall be lawful for the Trustees of the said Academy, to hold Lands and Hereditaments for the use and benefit thereof, in any part of this Province, not exceeding the yearly value of Two Thousand Pounds at any one time, and the said Trustees shall and may sell, mortgage and dispose of the said Lands, when, and as it shall be deemed beneficial for the said Corporation.

AN ACT TO AMEND AND ALTER THE ACT TO REGULATE AND SUPPORT THE PICTOU ACADEMY.

(*Passed the 14th Day of April, A. D.* 1845.)

Whereas, at a Public Meeting lately held in the County of Pictou, it was determined as expedient to introduce such alterations in the trust and management of said Institution, as to unite the two leading parties existing in that County, in the support thereof, and to found a general and improved system of Education therein, for the benefit of the Eastern Section of the Province generally, as well as of said County. *And Whereas*, the Trustees, under and by virtue of the existing Charter, in order to carry out the Resolutions of said Meeting, and to secure unanimity of feeling in support of such

Institution, have voluntarily consented to relinquish their rights, and to resign the Trust held by them under said existing Charter.

I. Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, That the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, and fifteenth clauses or sections of the Act, passed in the second year of the Reign of His late Majesty King William the Fourth, entitled, An Act to regulate and support the Pictou Academy, shall be, and the same are, hereby wholly repealed and declared null and void, to all intents and purposes whatsoever.

II. And be it enacted, That the said Trustees having resigned their Trust, as aforesaid, such resignation is hereby declared to be valid and binding, and that said former Trustees shall not hereafter be entitled to vote or interfere in the management of said Academy, and are hereby declared to be and shall absolutely be divested of all Estate and Interest in the Lands, Funds and Property, of and belonging to said Academy.

III. And be it enacted, That in the name and stead of former Trustees, Alexander Fraser, Esq., Middle River, Henry Blackadar, Esq., Alexander Fraser, Merchant, New Glasgow, James Crichton, Esq., James D. B. Fraser, Esq., Peter Crerar, Esq., Alexander Peter Ross, Esq., Adam Gordon, Doctor William James Anderson, James Fraser, Esq., New Glasgow, Thomas Gibson Taylor, and Hugh Houston Ross, Esq., West River, all of the said County of Pictou, shall be and become Trustees of and for the said Academy, with all the power, authority, privileges and liabilities of the Trustees of said Institution, in the same manner and to the same extent in all respects as if they had been originally named and incorporated in and by the Act and Charter, passed, made and granted, for Founding, Establishing, and maintaining the said Academy.

IV. And be it enacted, That it shall and may be lawful for the said Trustees, within the period of one month after the passing of this Act, to meet together and appoint one of their own number to be Chairman, and that all questions shall be decided at such or any future meetings of said Trustees, by at least two-thirds of the Trustees present, including the Chairman.—Nine to be a quorum.

V. And be it enacted, That the higher branches of Learning and Education, to which instruction in the said Academy has hitherto been confined, shall continue to be taught as has hitherto been practised.

VI. And be it enacted, That, in addition to the above mentioned Branches, instruction shall also be given in the Languages, and in all the Elementary Branches of Learning usually taught in Grammar Schools, including in the course of Education therein, the Modern Languages, and the Practical Application of the Mathematics, or such other branches as may be determined on by the Trustees, and that a Teacher or Teachers be appointed to give such instructions, as soon as the said Trustees can find a suitable person or persons to fill such situation.

VII. And be it enacted, That if the Trustees shall find it inconvenient to appropriate any part of the Building now called the Pictou Academy, for the purpose of affording instruction in the Lower Branches, that it shall and may be lawful for them to provide any House or Building in the Town of Pictou, suitable for such purpose, or to make such addition to the present Building, as will afford sufficient accommodation for the Scholars, as to the said Trustees shall seem most expedient and advisable.

And whereas, it is intended that the said Academy shall not be confined to persons called Presbyterians:

VIII. Be it therefore enacted, That no Theological Lectures shall be delivered in said Academy, and that no Master or Teacher employed and paid by such Trustees shall be engaged in the teaching, publicly or privately, of any Theological Class.

IX. And be it enacted, That it shall be lawful for the Lieutenant Governor, or the Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, when and as often as it shall be deemed expedient or proper, to nominate and appoint a Visiter or Visiters for the said Academy, who shall be a person or persons not resident in the said County, and wholly unconnected with the said Corporation, and who shall inspect the existing state of the said Institution, in regard to its Bye-Laws, Funds, Teachers, Students, and Proceedings of the Trustees, and report thereupon for the information of the several branches of the Legislature.

X. And be it enacted, That the death, resignation, removal from office, or continued absence of more than one year from the Province, of any Trustee of the Academy, shall occasion a vacancy in the Board of Trustees thereof.

XI. And be it enacted, That to supply any vacancy or vacancies occasioned as aforesaid, the choice of any future Trustee or Trustees of said Academy shall be made by the votes of two-thirds at least of the quorum hereinbefore named, and shall be certified to the Governor, Lieutenant Governor, or Commander in Chief for the time being, and if he shall disapprove of such choice within three months after the same is certified to him, then the said Trustees shall proceed to choose another Trustee instead of the party disallowed, and shall certify such second choice in manner as aforesaid; and if the person so elected as Trustee shall also be disallowed within three months after the election is certified as aforesaid, then the vacancy in the Trust shall be filled up and a Trustee appointed by the Lieutenant Governor, or Commander in Chief for the time being, by and with the advice of the Executive Council; and in case the said Trustees shall not elect any person to fill such vacancy in manner aforesaid within six months after such vacancy shall have occurred, then the said vacancy shall also be filled up by the Governor, Lieutenant Governor, or Commander in Chief for the time being, by and with the advice of the Executive Council.

XII. And be it enacted, That the said Trustees shall cause to be collected or contributed and secured to and for the uses and purposes of said Academy, by Subscription, Tuition Fees, or otherwise, in each and every year during the Grant of this Legislature of Two Hundred and Fifty Pounds per annum, a like sum of Two Hundred and Fifty Pounds, and that a Certificate to this effect, duly signed by the said Trustees, or three-fourths of the number thereof, shall be furnished to His Excellency the Lieutenant Governor, or Commander in Chief for the time being, for his information and approbation, which said Certificate shall be so forwarded and approved before any portion of the said Grant of Two Hundred and Fifty Pounds shall be paid.

XIII. And be it enacted, that this Act shall continue and be in force for four years, and from thence to the end of the then next Session of the General Assembly.

STATUTES, &c.

At a meeting of the Trustees of the Pictou Academy, held at Pictou, Nov. 10th, A. D., 1815, the following Bye-Laws and Ordinances were made and ordained for the regulation and management of said Academy, and for the Education and Government of students attending the same, and were remitted to the Secretary's Office, in terms of the Act.

OF THE TRUSTEES.

1st. The Trustees shall hold an Annual Meeting in the Academy on the *first* Wednesday of July, at which the proficiency of the Students shall be ascertained by public Examination, and all other business relating to the Seminary transacted.

2. No other Meeting of the Board shall be held, unless a previous notice of seven days be given to every member residing within the Province, which notice shall be signed by the Secretary, by order of the Chairman or Vice Chairman.

3. At the Annual Meeting, the Board shall appoint a Standing Committee *of the Trustees*, who shall for the year have the charge of the Building, and other property of the Corporation, and shall also in rotation once a week visit the Schools, and when requisite, assist the Master in the government of the Students.

4. A book shall be kept by the Board, in which shall be recorded their several transactions, which shall be signed by the Secretary and countersigned by the Chairman and at each meeting of the Board the minutes of the preceding one shall be read.

5. At each Annual Meeting there shall be drawn up a report of the general state of the Institution, of which a copy shall be inserted in the book of records, and also transmitted to His Excellency the Governor of the Province.

OF EDUCATION.

1. As the funds of the Academy increase, the Trustees

shall introduce the various parts of Education in that order which appears to them most subservient to the general interests of the Province.

2. The course of Education in the mean time shall be as follows:—English Reading and Spelling, Grammar and Composition, Writing, Arithmetic, Book Keeping, Practical Mathematics, including Navigation and Land Surveying, and the use of the Globes,—the Latin, Greek, and French Languages, Logic, Rhetoric and Moral Philosophy, and Universal History,—Natural and Mechanical Philosophy, Agricultural Chemistry, the Higher Branches of Mathematics, with their practical applications, Algebra and Fluxions.

3. The course for each year shall consist of two terms, the one commencing in January and terminating in July, the other commencing in August and ending in December, and there shall be two vacations, of a fortnight at Christmas and a month at midsummer.

4. Any Student shall, on entering the Academy, be permitted to join those classes for which, on examination, he is found qualified.

5. The Fees of Tuition, shall be eight shillings a quarter for the Lower Department For the second—one pound five shillings a term. For the third—one pound ten shillings a term; in all instances to be paid to the Treasurer in advance.

N. B. Students attending the second Master, may attend any of the Classes taught by the first Master, without any additional fee; and Students attending the third Department, may attend any of the Classes taught by the other Masters without any additional fee.

OF STUDENTS.

1. There shall be kept by the Treasurer, a Register, in which shall be enrolled the names of all persons admitted into the Academy, and the place of residence of their parents.

2. In the admission of Students, no religious test shal be used; nor shall the Masters in any way interfere with the religious principles of those who are under their charge.

3. No Student shall profess or propagate any atheistical or deistical opinions, or any principle repugnant to loyalty, on pain of expulsion.

4. No Student shall violate the laws of morality, or in any way act inconsistently with the established usages of social intercourse; and the general conduct of all attending the Academy shall be under the direction and control of the Masters, who are empowered to punish and suspend delinquents.

5. Students may appeal from the decision of the Masters, to the Standing Committee of the year, and ultimately to the Board of Trustees, in whom alone is vested the power of expulsion.

6. Each Student, whose proficiency and good conduct has merited approbation, shall at the conclusion of his course be entitled to a certificate of his attendance, improvement and character, signed by the Masters, and also by the Chairman or Vice Chairman of the Board of Trustees.

OF THE SECRETARY.

It shall be the duty of the Secretary to record the transactions, and to conduct the correspondence of the Board of Trustees—and the signature of the Secretary, with the counter-signature of the Chairman or Vice Chairman, shall give effect to any resolution of the Board; and when attached to any document by their order, shall be binding on the Incorporation.

OF THE TREASURER.

It shall be the duty of the Treasurer to take charge of the funds of the Institution, and to dispose of them under the order of the Board.—It shall also be his duty to receive the fees from the Students, and thereon to give them tickets of admission to the Academy;—also to keep a register, in which shall be enrolled the names of all persons so admitted, with the place of residence of their parents.

OF THE LIBRARY.

1. Students may be allowed to peruse such books from the Library, as the Masters may judge to be subservient to their improvement.

2. Students, if required, shall deposit in the hands of the Librarian, a sum equivalent to the book or books received

from the Library, which sum shall be retained till the books are returned.

3. Students shall pay for such books as they lose or injure.

WM. JAS. ANDERSON,
SECRETATY.

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